

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOSHUA G. FRANKLIN SR.,

Plaintiff,

vs.

DIANE SABATKA-RINE, Deputy  
Director, In her Individual and Official  
Capacity; FRED BRITTEN, Warden, In  
his Individual and Official Capacity;  
CURT WEES, Unit Administrator, In  
his Individual and Official Capacity;  
MCCLYMONT, Case Manager;  
DENNIS BAKEWELL, and CHARLES  
RINE,

Defendants.

**8:16CV470**

**MEMORANDUM  
AND ORDER**

On August 1, 2017, the court ordered Plaintiff to pay the \$400.00 filing and administrative fees or file a request for leave to proceed in forma pauperis within 30 days or face dismissal of this action. To date, Plaintiff has not paid the fees, submitted a request for leave to proceed in forma pauperis, or taken any other action in this matter.

IT IS THEREFORE ORDERED that: This matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with this court's orders. The court will enter judgment by a separate document.

Dated this 3rd day of November, 2017.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge